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HUNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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THOMAS GESUALDI and FRANK FINKEL,
Trustees of Local 282 International
Brotherhood of Teamsters Welfare,
Pension, Annuity, Job Training and
Vacation Sick Leave Trust Funds

Index No. 09-CV-2059 (ARR)

Plaintiffs,

-against-

AMENDED
JUDGMENT AND
PERMANENT INJUNCTION

PERSICO CONTRACTING & TRUCKING INC.
Defendant.
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This action having been commenced on May 14, 2009, by the filing of a Complaint, and the parties having consented to the entry of Judgment in favor of Plaintiffs,

NOW, upon application of Avram H. Schreiber, Esq., attorney for Plaintiffs, it is

ORDERED, ADJUDGED AND DECREED that Plaintiffs THOMAS GESUALDI and FRANK FINKEL, as Trustees of Local 282 International Brotherhood of Teamsters Welfare, Pension, Annuity, Job Training and Vacation/Sick Leave Trust Funds, have judgment against Defendant PERSICO CONTRACTING & TRUCKING INC. in the amount of \$320,979.97, and that Plaintiffs have execution therefore, and it is further,

ORDERED, ADJUDGED AND DECREED, that Defendant and its agents, directors, officers, successors, heirs and assigns, shall not, for so long as they remain obligated to contribute to the Plaintiff FUNDS, fail, refuse or neglect to submit required contribution reports and payments in accordance with the rules of the Fund, and it is further,

ORDERED, ADJUDGED AND DECREED, that Defendant's obligation pursuant to this injunction shall remain in force and effect as long as they are signatory to a Collective Bargaining Agreement with Local 282 I.B. of T. and/or are obligated to pay contributions to the Plaintiffs herein pursuant to a Collective Bargaining Agreement, Declaration of Trust or any other obligation to contribute to Plaintiff FUNDS, and it is further,

ORDERED, ADJUDGED AND DECREED, that any and all amounts awarded Plaintiff FUNDS shall be without waiver of or prejudice to the rights of the Trustees of Local 282 I.B. of T. including but not limited to the rights of the Plaintiffs pertaining to the posting of a surety bond or alternate security, and to audit the books and records of Defendant PERSICO CONTRACTING & TRUCKING INC. for all periods, inclusive of the time period encompassed in the Complaint, and/or subject the time period to other means of verification, and to collect any additional contributions, interest, liquidated damages, audit fees and attorneys' fees and costs found to be due and owing for said periods as a result of the audit or other means of verification.

Dated: Brooklyn, New York

March 3, 2011

7/1 ORDERED AND ADJUDGED

/s/(ARR)
ALLYNE R. ROSS -U.S.D.J.